

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
ENTERED

SEP 25 1998

MICHAEL N. MILBY Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

MISCELLANEOUS

IN RE: Letter Rogatory from
Court of Chief Metropolitan
Magistrate, Delhi, India
for Assistance in the Criminal
Matter of Goodyear

) H - 98 - 03 63
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No. _____
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ORDER

Upon application of the United States, and upon review of the letter rogatory of July 25, 1994 from the Court of Chief Metropolitan Magistrate, Delhi, India seeking evidence for use in a judicial proceeding, including criminal investigation conducted before formal accusation, in India and the Court having fully considered this matter,

IT IS HEREBY ORDERED, pursuant to the authority conferred by 28 U.S.C. § 1782 and this Court's inherent authority, that GARY L. COBE is appointed as a Commissioner of this Court and is hereby directed to execute the letter rogatory as follows:

1. take such steps as are necessary, including issuance of commissioner's subpoenas to be served any person within the jurisdiction of this Court, to collect the evidence requested;
2. provide notice with respect to the collection of evidence to any person identified in the request as a party to whom notice should be given and no notice to any other party shall be required;
3. adopt procedures to collect the evidence requested

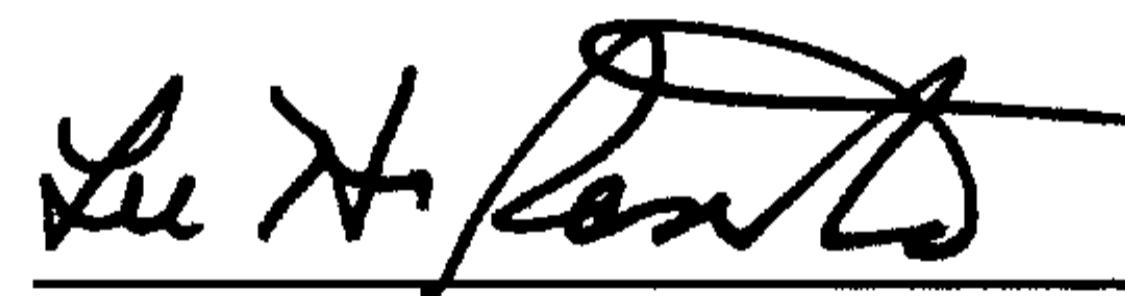
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consistent with its use as evidence in a proceeding before a tribunal in India, which procedures may be specified in the request or provided by the requesting court or authority or by a representative of India;

4. seek such further orders of this Court as may be necessary to execute this request; and

5. certify and submit the evidence collected to the Office of International Affairs, Criminal Division, United States Department of Justice, or as otherwise directed by that office for transmission to the requesting court or authority.

IT IS FURTHER ORDERED that, in collecting the evidence requested, the Commissioner may be accompanied by persons whose presence or participation is authorized by the Commissioner, including, without limitation, special agents of the Federal Bureau of Investigation, deputies of the United States Marshals Service and/or representatives of India.



UNITED STATES DISTRICT JUDGE

Dated: September 23, 1998